

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: November 13, 2023




C. Kathryn Preston
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In the Matter of:	:	Case No. 23-53233
	:	
CUSITECH LLC	:	Chapter 7
	:	
	:	
Debtor	:	Judge C. Kathryn Preston

**ORDER REDUCING THE NOTICE PERIOD FOR OBJECTIONS TO THE
FOLLOWING MOTION:**

MOTION BY CHRISTAL L. CAUDILL TRUSTEE FOR AN ORDER (1) AUTHORIZING THE TRUSTEE TO SELL MOTOR VEHICLES, EQUIPMENT, AND INVENTORY OF CUSITECH LLC LOCATED IN WESTERVILLE OH AT PUBLIC AUCTION; (2) AUTHORIZING THE SALE OF THE ASSETS TO BE FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES; (3) APPROVING THE AUCTION SALE PROCEDURES; (4) AUTHORIZING THE PAYMENT OF BUYER'S PREMIUM DIRECTLY TO AUCTIONEER; (5) AUTHORIZING THE TRUSTEE TO MAKE PAYMENT OF THE SELLER'S COMMISSION TO THE AUCTIONEER FROM THE SALE PROCEEDS; (6) DETERMINING THAT THE PROVISIONS OF FEDERAL RULE OF BANKRUPTCY PROCEDURE 6004(h) WILL NOT APPLY TO THE ORDER GRANTING THE MOTION, AND (7) AUTHORIZING THE COMPROMISE OF THE POST-PETITION ADMINISTRATIVE CLAIM OF HOLLINGSWORTH CAPITAL PARTNERS COLUMBUS LLC

(Related to Doc. No. 53)

This matter came before the Court upon the motion ("Motion to Reduce Notice Period" Doc. No. 53) by Christal L. Caudill, Trustee ("Trustee"), the Trustee in the Chapter

7 case of CUSITECH LLC ("Debtor") for the entry of an order pursuant to the provisions of 11 U.S.C. § 105 and the provisions of Federal Rule of Bankruptcy Procedure 9006 reducing the notice period for objections to the following motion ("Sale Motion"; Doc. No. 52):

MOTION BY CHRISTAL L. CAUDILL TRUSTEE FOR AN ORDER (1) AUTHORIZING THE TRUSTEE TO SELL MOTOR VEHICLES, EQUIPMENT, AND INVENTORY OF CUSITECH LLC LOCATED IN WESTERVILLE OH AT PUBLIC AUCTION; (2) AUTHORIZING THE SALE OF THE ASSETS TO BE FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES; (3) APPROVING THE AUCTION SALE PROCEDURES; (4) AUTHORIZING THE PAYMENT OF BUYER'S PREMIUM DIRECTLY TO AUCTIONEER; (5) AUTHORIZING THE TRUSTEE TO MAKE PAYMENT OF THE SELLER'S COMMISSION TO THE AUCTIONEER FROM THE SALE PROCEEDS; (6) DETERMINING THAT THE PROVISIONS OF FEDERAL RULE OF BANKRUPTCY PROCEDURE 6004(h) WILL NOT APPLY TO THE ORDER GRANTING THE MOTION, AND (7) AUTHORIZING THE COMPROMISE OF THE POST-PETITION ADMINISTRATIVE CLAIM OF HOLLINGSWORTH CAPITAL PARTNERS COLUMBUS LLC

Based upon a review of the Sale Motion and the Motion to Reduce Notice Period, the Court finds that urgency exists regarding the Trustee's proposed sale of the Debtor's Assets¹ and regarding the proposed settlement of the Hollingsworth Claim, and the Motion to Reduce Notice Period should be granted.

The Court further finds that the entry of this Order, without further notice or a hearing, is appropriate based upon the nature of the relief requested, the authority contained in Federal Rule of Bankruptcy Procedure 9006, and the provisions of General Order 12-4 entered in this District.

Accordingly, the Court orders as follows:\

1. The Motion to Reduce Notice Period is granted as provided in this Order. Any objection to the Sale Motion must be filed and served by no later than 11:59 pm prevailing Eastern Time on November 27, 2023 ("Reduced Notice Period").

¹ Capitalized terms not defined in this Order shall have the same meaning as in the Sale Motion and/or the Motion to Reduce Notice Period.

2. By no later than the next business day after the entry of this Order, the proposed Special Counsel for the Trustee shall serve a copy of this Order on the following parties in the manner indicated:

A. The parties in the Debtor's Case registered to receive notice by ECF will be served by ECF at the email address registered with the Court.

B. The following parties will be served by overnight delivery:

Alantes Corporate Finance LLC
234 5th Ave. 2nd Floor
New York, NY 10001

United States Attorney General
950 Pennsylvania Ave.
Washington DC 20530

Bethany Hamilton Esq.
United States Attorney's Office
303 Marconi Blvd.
Suite 200
Columbus OH 43215

Scott J. McLean
President & Chief Operating Officer
Zions Bank
1 South Main Street
Salt Lake City UT 84133

Thomas E. Larson
Executive Vice President &
General Counsel
Zions Bank
1 South Main Street
Salt Lake City UT 84133

Greg Kidwell
President
Pathways Financial Credit Union
5665 North Hamilton Rd.
Columbus OH 43230

Samson Funding
Aka Moneywell
c/o Anthony Giuliano Esq.
445 Broadhollow Rd.
Suite 25
Melville NY 11747

Centra Funding LLC
1400 Preston Rd. #115
Plano TX 75093

Debra L. Fortenberry Esq.
Fortenberry Law Group LLC.
620 S. Cascade Ave., Suite 103
Colorado Springs, CO 80903-4050

Diane Rhonda Randeem Esq
Office of Theodore John Cohen Esq
410 Jericho Turnpike
Jericho, NY 11753-1318

Downtown Electric & Lighting Inc.
78 Tumbleweed Trail
Penrose, CO 81240-9065

ITASCA PARTNERS LLC
1428 North Franklin Street
Colorado Springs, CO 80907-7718

MW GRP Capital
17 State Street Suite 630
New York, NY 10004-1749

Peak Professional Contractors Inc.
1428 North Franklin Street
Colorado Springs, CO 80907-7718

Pearl Delta Funding LLC
525 Washington Blvd. Suite 300
Jersey City, NJ 07310-1625

Small Business Administration
2 North Street Suite 320
Birmingham, AL 35203

Steve Vandenburg
1093 Fenway Rd.
Port Saint Lucie, FL 34953-2304

Systems Electric Inc.
5295 Suburban Drive
Colorado Springs, CO 80911-3126

William C. Groh, III
Robinson and Henry, P.C.
1805 Shea Center Dr., Suite 180
Littleton, CO 80129-2253

Mulliken Weiner Berg & Jolivet
Alamo Corporate Center
102 South Tejon Street, Suite 900
Colorado Springs, CO 80903-2240

C. The parties on the Creditor List in the Debtor's Case will be served by US Mail.

3. Service of this Order in the manner established by this Order shall be sufficient for all relevant purposes under the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules.

4. The proposed Special Counsel for the Trustee shall file a Certificate of Service regarding the service of this Order within one (1) business day of the date of the service of this Order.

SO ORDERED.

Copies to:

Default List